

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH R. CALIHAN,
Plaintiff,

No. C 12-04198 YGR (PR)

ORDER OF TRANSFER

vs.

WILLIAM KNIPP, Warden, et al.,
Defendants.

Plaintiff, a state prisoner, has filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983, two applications to proceed *in forma pauperis* (IFP) (one of which has been subsequently and correctly terminated by the Clerk of the Court), and a motion for appointment of counsel. The acts complained of occurred at Mule Creek State Prison, which is located in the Eastern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith. All pending motions are TERMINATED on this Court's docket as no longer pending in this district.

IT IS SO ORDERED.

DATED: September 11, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE